

United States District Court

District of Vermont

MARK SMITH,

Plaintiff,

v.

UNITED STATES MARSHALS SERVICE;
UNITED STATES DEPARTMENT OF JUSTICE;
and UNITED STATES OF AMERICA,

Defendants.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 1:05-CV-106

DEPUTY CLERK

CLERK

2006 FEB -7 PM 3:26

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

 Jury Verdict. This action came before the Court for trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that pursuant to the Court's Ruling (Doc. No. 16) filed October 19, 2005, defendants' Motion for Summary Judgment (Doc. No. 3) is GRANTED in part and DENIED in part. All plaintiff's claims, with the exception of his claim pursuant to the Rehabilitation Act, are barred by *res judicata*.

It is further Ordered that pursuant to the Court's Ruling (Doc. No. 28) filed February 7, 2006, defendants' Motion for Summary Judgment on the remaining claim is GRANTED and Motion to Dismiss (Doc. No. 18) is DENIED as moot. JUDGMENT is hereby entered for defendants United States Marshals Service, United States Department of Justice and United States of America against plaintiff Mark Smith.

Date: February 7, 2006

RICHARD PAUL WASKO
Clerk


(By) Deputy Clerk

Judgment Entered on Docket

Date: 02/7/2006